

**APPENDIX**

Sent to Governor

(May 7, 1979)

**S.C.R. 29**  
**S.C.R. 46**  
**S.C.R. 74**  
**S.B. 21**  
**S.B. 114**  
**S.B. 131**  
**S.B. 358**  
**S.B. 390**  
**S.B. 527**  
**S.B. 548**  
**S.B. 557**  
**S.B. 620**  
**S.B. 649**  
**S.B. 843**  
**S.B. 890**  
**S.B. 1025**  
**S.B. 1035**

Signed by Governor

(May 3, 1979)

**H.C.R. 77**  
**H.C.R. 184**

**SIXTY-SIXTH DAY**

(Tuesday, May 8, 1979)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Andujar, Blake, Bracklein, Brooks, Clower, Creighton, Doggett, Farabec, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

A quorum was announced present.

The Reverend Victor L. Haney, Northwest Baptist Church, Austin, offered the invocation as follows:

Almighty Father, we bow in simple submission to the presence of Your power and wisdom and in the graciousness of Your love. Grant to these Your

strength, both physical and spiritual, and enable them to fulfill their responsibilities today. In Christ's name, I pray. Amen.

On motion of Senator Moore and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

House Chamber  
May 8, 1979

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT THE HOUSE HAS PASSED THE FOLLOWING:

HJR 98, A joint resolution proposing a constitutional amendment to require a single appraisal and a single board of equalization within each county for ad valorem tax purposes.

HJR 121, A joint resolution proposing a constitutional amendment relating to the authority of a county to perform private road work.

HJR 133, A joint resolution proposing a constitutional amendment to provide for legislative review of the process of rulemaking by agencies in the executive department.

HB 384, A bill to be entitled An Act relating to elimination of junkyards from certain metropolitan areas.

HB 590, A bill to be entitled An Act relating to the rights of former convicts to obtain occupational licenses.

HB 628, A bill to be entitled An Act relating to the qualifications of peace officers.

HB 635, A bill to be entitled An Act relating to the regulation of lay midwifery and providing penalties.

HB 979, A bill to be entitled An Act relating to compensation for overtime for policemen in certain cities.

HB 1176, A bill to be entitled An Act relating to the acquisition of property by the state and by political subdivisions.

HB 1358, A bill to be entitled An Act relating to establishment of a state veterans' cemetery.

HCR 163, Commending Omar Burleson.

HB 1663, A bill to be entitled An Act relating to the issuance of tax receipts from the tax collector for a political subdivision that imposes property taxes.

HB 2038, A bill to be entitled An Act relating to the sale and distribution of and the means, methods, and fees for the catching of fish, shrimp, oysters, and other aquatic life and to related criminal and civil penalties.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 857 by a non record vote.

All necessary rules suspended, and the conference committee report on Sen. Bill No. 1257 adopted by a vote of 125 Ayes, 2 Noes.

All necessary rules suspended, and the conference committee report on Sen. Bill No. 387 adopted by a non record vote.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### **BILLS AND RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

<b>S.C.R. 67</b>	<b>S.B. 494</b>
<b>S.B. 123</b>	<b>S.B. 518</b>
<b>S.B. 142</b>	<b>S.B. 729</b>
<b>S.B. 218</b>	<b>S.B. 737</b>
<b>S.B. 301</b>	<b>S.B. 833</b>
<b>S.B. 442</b>	<b>S.B. 999</b>
<b>S.B. 447</b>	<b>S.B. 1186</b>
<b>S.B. 425</b>	(Signed subject to provisions of Sec. 49a, Article III, Constitution of State of Texas)
<b>S.B. 1254</b>	(Signed subject to provisions of Sec. 49a, Article III, Constitution of State of Texas)
<b>H.C.R. 79</b>	<b>H.B. 435</b>
<b>H.C.R. 91</b>	<b>H.B. 719</b>
<b>H.C.R. 108</b>	<b>H.B. 838</b>
<b>H.C.R. 114</b>	<b>H.B. 857</b>
<b>H.C.R. 119</b>	<b>H.B. 862</b>
<b>H.C.R. 120</b>	<b>H.B. 983</b>
<b>H.C.R. 121</b>	<b>H.B. 993</b>
<b>H.C.R. 151</b>	<b>H.B. 2123</b>
<b>H.C.R. 178</b>	<b>H.B. 2124</b>

#### **REPORTS OF STANDING COMMITTEES**

Senator Jones of Taylor submitted the following report for the Committee on Finance:

**S.B. 1301**  
**H.B. 2235**

Senator Brooks submitted the following report for the Committee on Human Resources:

**S.B. 930**  
**H.B. 784**  
**H.B. 686**  
**H.B. 305** (Amended)  
**S.C.R. 73**

Senator Mauzy submitted the following report for the Committee on Education:

**C.S.S.B. 350** (Read first time)

### **SENATE BILLS ON FIRST READING**

On motion of Senator Snelson and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 1305** by Snelson Education  
Providing for the development and implementation of a balanced adoption cycle for proclamation of needs for textbooks and other instructional materials; amending Section 12.34, Texas Education Code; and declaring an emergency.

**S.B. 1307** by Longoria Intergovernmental Relations  
Relating to maintenance of unkept cemeteries by counties.

**S.B. 1309** by Patman Natural Resources  
Relating to the creation, administration, powers, duties, operations, and financing of the Williamson County Water Authority.

**S.B. 1310** by Moore State Affairs  
Relating to validation of the incorporation, boundaries, and governmental proceedings of general law municipalities.

### **HOUSE BILLS AND RESOLUTION ON FIRST READING**

The following bills and resolution received from the House were read the first time and referred to the Committee indicated:

**H.C.R. 84**, To Committee on Administration.  
**H.B. 52**, To Committee on Jurisprudence.  
**H.B. 309**, To Committee on State Affairs.  
**H.B. 398**, To Committee on Economic Development.  
**H.B. 467**, To Committee on Jurisprudence.  
**H.B. 561**, To Committee on Intergovernmental Relations.  
**H.B. 658**, To Committee on Intergovernmental Relations.  
**H.B. 775**, To Committee on Finance.  
**H.B. 793**, To Committee on State Affairs.  
**H.B. 852**, To Committee on State Affairs.  
**H.B. 915**, To Committee on State Affairs.  
**H.B. 916**, To Committee on State Affairs.  
**H.B. 930**, To Committee on Intergovernmental Relations.  
**H.B. 940**, To Committee on Finance.

**H.B. 956**, To Committee on State Affairs.  
**H.B. 995**, To Committee on State Affairs.  
**H.B. 1016**, To Committee on State Affairs.  
**H.B. 1082**, To Committee on Intergovernmental Relations.  
**H.B. 1134**, To Committee on Intergovernmental Relations.  
**H.B. 1147**, To Committee on State Affairs.  
**H.B. 1237**, To Committee on Education.  
**H.B. 1323**, To Committee on Human Resources.  
**H.B. 1351**, To Committee on State Affairs.  
**H.B. 1442**, To Committee on State Affairs.  
**H.B. 1446**, To Committee on Human Resources.  
**H.B. 1480**, To Committee on State Affairs.  
**H.B. 1530**, To Committee on State Affairs.  
**H.B. 1554**, To Committee on Natural Resources.  
**H.B. 1571**, To Committee on Jurisprudence.  
**H.B. 1673**, To Committee on State Affairs.  
**H.B. 1704**, To Committee on State Affairs.  
**H.B. 1719**, To Committee on Natural Resources.  
**H.B. 1773**, To Committee on Human Resources.  
**H.B. 1794**, To Committee on Natural Resources.  
**H.B. 1814**, To Committee on Natural Resources.  
**H.B. 1857**, To Committee on Natural Resources.  
**H.B. 1858**, To Committee on Natural Resources.  
**H.B. 1863**, To Committee on Economic Development.  
**H.B. 1926**, To Committee on Intergovernmental Relations.  
**H.B. 1974**, To Committee on Intergovernmental Relations.  
**H.B. 2000**, To Committee on Finance.  
**H.B. 2025**, To Committee on State Affairs.  
**H.B. 2062**, To Committee on Human Resources.  
**H.B. 2115**, To Committee on Natural Resources.  
**H.B. 2167**, To Committee on Natural Resources.  
**H.B. 2168**, To Committee on Natural Resources.  
**H.B. 2171**, To Committee on Intergovernmental Relations.  
**H.B. 2173**, To Committee on Intergovernmental Relations.  
**H.B. 2180**, To Committee on Natural Resources.  
**H.B. 2181**, To Committee on Natural Resources.  
**H.B. 2186**, To Committee on Intergovernmental Relations.  
**H.B. 2191**, To Committee on Natural Resources.  
**H.B. 2197**, To Committee on Natural Resources.  
**H.B. 2199**, To Committee on Natural Resources.  
**H.B. 2225**, To Committee on Finance.  
**H.B. 2238**, To Committee on Intergovernmental Relations.

**CONFERENCE COMMITTEE REPORT SENATE BILL 43**

Austin, Texas  
May 7, 1979

Honorable William P. Hobby  
President of the Senate

Honorable Bill Clayton  
Speaker of the House of Representatives

Sir:

We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on **S.B. 43** have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

TRAEGER  
SHORT  
BROOKS  
VALE  
KOTHMANN  
On the part of the Senate

UHER  
COLLAZO  
HALL OF DENTON  
GRUBBS  
On the part of the House

#### CONFERENCE COMMITTEE REPORT

S.B. No. 43  
A BILL TO BE ENTITLED

#### AN ACT

relating to supplemental service retirement benefits for certain peace officers and custodial officers; creating a fund from which supplemental benefit payments may be made and providing for funding and appropriations; relating to administration of the benefit program; providing penalties; amending Subdivision 3, Subsection A, Section 5, Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), and amending Section 141 (c) of the Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and making validity of the Act dependent on validity of Subsection (b), Section 5 of this Act, relating to funding.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

**SECTION 1. SHORT TITLE.** This Act may be cited as the Commissioned Law Enforcement and Custodial Officer Supplemental Retirement Benefit Act.

**SECTION 2. PURPOSE.** The purpose of this Act is to provide supplemental retirement benefits for members of the Employees Retirement System of Texas who have completed 20 or more years of service or have become occupationally disabled while serving as commissioned law enforcement officers of the Department of Public Safety, the Texas Alcoholic Beverage Commission, or the Parks and Wildlife Department, or as custodial officers of the Texas Department of Corrections.

**SECTION 3. DEFINITIONS.** In this Act:

(1) "Law enforcement officer" means a member of the Employees Retirement System of Texas who has been commissioned as a law enforcement officer by the Department of Public Safety, the Texas Alcoholic Beverage Commission, the State Board of Control Capitol Area Security Force, or the Parks and Wildlife Department and who is recognized as a commissioned law enforcement officer by the Commission on Law Enforcement Officer Standards and Education.

(2) "Custodial officer" means a member of the Employees Retirement System of Texas who is employed by the Texas Department of Corrections and whose normal duties with the department require the person to supervise and have direct contact with inmates of that institution.

(3) "Credited service" means service as a law enforcement officer or custodial officer for which retirement contributions have been made to and are being held by the Employees Retirement System of Texas, accruing as provided by rules of the State Board of Trustees of the Employees Retirement System of Texas or on a month-to-month basis, whichever is greater. "Credited service" does not include service other than as a law enforcement or custodial officer.

(4) "Combined service retirement annuity" means the amount payable on retirement for service as a law enforcement or custodial officer under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), plus any supplemental annuity payable under this Act.

**SECTION 4. SUPPLEMENTAL RETIREMENT BENEFITS.** (a) A person who has 20 years of credited service or more as a law enforcement officer or custodial officer is entitled to retire regardless of age and receive supplemental service retirement benefits as provided by this Act. A person who retires under this Act retires simultaneously under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), although the person must meet any applicable age requirements in that Act before being entitled to receive a service retirement annuity under that Act. In addition to the benefits provided in this Act, a retiring law enforcement or custodial officer is entitled to receive the rights and benefits of retirement available under the Employees Retirement System of Texas except as otherwise provided by this Act. Service retirement annuity payments from the fund created by this Act shall be derived by application of the following table, except that the amount so derived shall be reduced by the amount, if any, to which the retiree is entitled under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), for service as a law enforcement officer or custodial officer:

Years of Credited Law Enforcement or Custodial Officer Service	Combined Service Retirement Annuity as a Percentage of Final Average Compensation
at least 20 but less than 21	50 percent
at least 21 but less than 22	52 percent
at least 22 but less than 23	54 percent
at least 23 but less than 24	56 percent
at least 24 but less than 25	58 percent
at least 25 but less than 26	60 percent
at least 26 but less than 27	62 percent
at least 27 but less than 28	64 percent
at least 28 but less than 29	66 percent
at least 29 but less than 30	68 percent
at least 30 but less than 31	70 percent
at least 31 but less than 32	71 percent
at least 32 but less than 33	72 percent
at least 33 but less than 34	73 percent
at least 34 but less than 35	74 percent
at least 35 but less than 36	75 percent
at least 36 but less than 37	76 percent
at least 37 but less than 38	77 percent
at least 38 but less than 39	78 percent
at least 39 but less than 40	79 percent

40 or more

80 percent

(b) The combined service retirement annuities included in the table in Subsection (a) of this section as percentages of final average compensation are based on retirement at or above the age of 55. The combined service retirement annuity of a law enforcement or custodial officer who retires before attaining the age of 55 shall be actuarially reduced from age 55 to the earlier retirement age. A law enforcement or custodial officer's combined service retirement annuity shall be computed on the final average, determined in the manner provided by Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), of the person's base salary and longevity pay, excluding overtime compensation, as a law enforcement or custodial officer. Any eligible member may, in lieu of the standard combined service retirement annuity computed as provided in this section, elect to receive the actuarial equivalent as a reduced annuity under any of the service retirement options available under the Employees Retirement System of Texas. The same option applies to all components of any available annuity.

(c) Occupational disability retirement benefits for law enforcement and custodial officers shall be granted, except as provided by this subsection, under the same terms and conditions and at the same time as occupational disability retirement benefits are granted under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes). An occupational disability retirement annuity is based on the officer's salary at the time of the disabling injury or disease. The level of benefits shall be computed on the percentages provided by this Act for service retirement benefits, but may not be reduced by reason of age. A minimum of 50 percent of salary is payable, regardless of the amount of credited service of the occupationally disabled member.

(d) The provisions of this subsection govern the recomputation of certain annuities payable on or after September 1, 1980, by virtue of deaths, service retirements, or occupational disability retirements occurring before that date. The recomputations apply only to a person, or his surviving annuitant, who at the time of service retirement or death prior to service retirement had completed 20 or more years of credited service as a law enforcement or custodial officer or who became occupationally disabled while serving as a law enforcement or custodial officer. Each recomputation shall be made by applying the provisions of Subsections (a), (b), and (c) of this section as if they had been in effect at the time of service retirement, death prior to retirement, or occupational disability retirement of the eligible law enforcement or custodial officer. The amount payable out of the Law Enforcement and Custodial Officer Supplemental Retirement Fund is the amount, if any, by which the recomputed amount exceeds the amount payable under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes).

**SECTION 5. LAW ENFORCEMENT AND CUSTODIAL OFFICER SUPPLEMENTAL RETIREMENT FUND.** (a) There is created with the State Treasurer, to provide the necessary funding for administration and payment of the benefits provided by this Act, a fund to be known as the Law Enforcement and Custodial Officer Supplemental Retirement Fund. The State Treasurer is the custodian of all money and securities held in the name of the fund.

(b) Payments to the fund shall be made from funds collected as part of the motor vehicle inspection fee. Seventy-five cents of the amount collected from the motor vehicle inspection fee on each vehicle required to be inspected as set out in Subsection (c) of Section 141 of the Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), shall be



transferred monthly by the Department of Public Safety to the Law Enforcement and Custodial Officer Supplemental Retirement Fund.

(c) The legislature may make appropriations to the fund as needed to fund benefits authorized by law.

**SECTION 6. REPORTS.** Within 60 days after the effective date of this Act, the Department of Public Safety, the Texas Alcoholic Beverage Commission, the Parks and Wildlife Department, and the Texas Department of Corrections shall certify to the Employees Retirement System of Texas the names of law enforcement officers and, as appropriate, custodial officers employed, and the number of years of service each employee has performed as a law enforcement or custodial officer. Thereafter, at the end of each state fiscal year each department and commission named in this section shall certify the names of its employees and amount of service each employee performed as a law enforcement officer or custodial officer as defined in this Act during the fiscal year just ending.

**SECTION 7. ADMINISTRATION.** (a) This Act shall be administered by the State Board of Trustees of the Employees Retirement System of Texas. The board shall adopt all necessary rules for the administration of this Act. All payments from the fund created by this Act shall be made, without further appropriation, by the State Treasurer on warrants drawn by the comptroller of public accounts, supported only on vouchers signed by the executive director and the chairman of the State Board of Trustees of the Employees Retirement System of Texas or their authorized representatives. A duly attested copy of a resolution of the board of trustees designating authorized representatives shall be filed with the comptroller as the authority for issuing the warrants.

(b) The State Board of Trustees of the Employees Retirement System of Texas shall be the trustees of the fund provided under this Act. The board may authorize the executive director of the Employees Retirement System of Texas to purchase, sell, hold, manage, assign, and exchange any security, evidence of debt, or other investment in which money and assets of the fund may be invested. The money in the fund in excess of the amount of cash required for current operations shall be invested and reinvested for the benefit of the fund by the executive director as authorized by the board in the following securities:

(1) interest-bearing bonds of the United States or of any authority or agency of the United States or any securities guaranteed as to the payment of principal and interest by the United States or by any authority or agency of the United States;

(2) corporate bonds or debentures of any company incorporated in the United States which is rated "A" or better by a nationally recognized bond rating service acceptable to the board of trustees; and

(3) short-term securities approved by the board of trustees.

(c) The board of trustees shall designate an actuary who must be thoroughly qualified to act as the technical advisor of the board on matters regarding the operation of the fund created by this Act. The actuary shall perform such other duties as are prescribed by the board.

(d) Annually, the actuary shall make a valuation of the assets and liabilities of the fund created by this Act based on tables and rates adopted by the board of trustees.

(e) At least once in each five-year period after September 1, 1980, the actuary shall make, under the direction of the board of trustees, an actuarial investigation into the mortality, service, and compensation experience of the members and beneficiaries under this Act and shall make a valuation of the assets and liabilities of the Law Enforcement and Custodial Officer Supplemental Retirement Fund, and taking into account the result of the investigation and

valuation, the board of trustees shall adopt such mortality, service, and other tables as are considered necessary for carrying out the purposes of this Act.

(f) Payment for services required of the actuary, as approved by the board of trustees, shall be paid from the Law Enforcement and Custodial Officer Supplemental Retirement Fund.

(g) On or before the first day of November next preceding each regular session of the legislature, the board of trustees shall certify to the Legislative Budget Board and the budget division of the governor's office an estimate of the amount of appropriated funds required to carry out the purposes of this Act for the ensuing biennium. The estimate shall be determined on the basis of actuarial valuations of the amount of appropriated funds required, in addition to other funds accruing to the Law Enforcement and Custodial Officer Supplemental Retirement Fund, to adequately fund all benefits provided under this Act, including the funding of liabilities accrued by virtue of service performed prior to the effective date of this Act within a period not to exceed 36 years after the effective date of this Act. This amount shall be included in the state budget that the governor submits to the legislature.

(h) In addition to providing funds necessary for funding benefits to be provided and liabilities incurred under the provisions of this Act, the legislature shall appropriate to the Employees Retirement System of Texas funds necessary for the administration of this Act. The board of trustees shall furnish the Legislative Budget Board and the governor's office as a separate item an estimate of reimbursement due the Employees Retirement System of Texas for administering the provisions of this Act for the ensuing biennium.

SECTION 8. RESTRICTIONS ON USE OF FUNDS. (a) None of the money appropriated to pay benefits under this Act may be diverted or used to pay any benefits other than those provided by this Act.

(b) This Act does not limit or reduce any benefit otherwise payable at or above the age of 55 under Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes).

SECTION 9. PROTECTION AGAINST CONVERSION OF FUNDS AND FRAUD. (a) A person who knowingly or intentionally confiscates, misappropriates, or converts money provided under this Act is guilty of a felony and on conviction is punishable by confinement in the Texas Department of Corrections for not less than one nor more than five years.

(b) A person who knowingly or intentionally makes any false statement or falsifies or permits to be falsified any record or records required under the provisions of this Act in any attempt to defraud or to increase benefits for any person is guilty of a felony and on conviction is punishable by confinement in the Texas Department of Corrections for not less than one nor more than five years.

(c) If any change or error in the records results in any person receiving more or less supplemental retirement benefits than the person would have been entitled to receive under the provisions of this Act had the records been correct, the State Board of Trustees of the Employees Retirement System of Texas shall correct the error and so far as practicable shall adjust the payment so that the actuarial equivalent of the benefit to which the person was actually entitled shall be paid.

SECTION 10. CONFORMING AMENDMENT. Subdivision 3, Subsection A, Section 5, Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), is amended to read as follows:

"3. Any member may withdraw from service prior to the attainment of the age of sixty (60) years who shall have completed at least thirty (30) years of creditable service as an employee or appointive officer, or twelve (12) years of creditable service as an elective official and shall become entitled to a service

retirement upon attaining the age of fifty-five (55) without actuarial reduction because of age. ~~[Any person previously retired with thirty (30) years or more of creditable service, as an employee or appointive officer, or twelve (12) years or more of creditable service as an elective official and who at the time of retirement was at least fifty five (55) years, but less than sixty (60) years of age, and whose service annuity was actuarially reduced, may, on and after the effective date of this Act, apply in writing for recomputation of his annuity so as to restore the reduction previously imposed, such restoration to be effective only with respect to annuity payments due for the month of September, 1973, and thereafter.]~~ Any member with thirty (30) years or more of creditable service, as an employee or appointive officer, or twelve (12) years or more of creditable service as an elective official may withdraw from service prior to the attainment of the age of fifty-five (55) years and shall become entitled to a service retirement allowance provided such member has attained the age of fifty (50) and provided further that his retirement allowance shall be actuarially reduced from age fifty-five (55) to the earlier retirement age. Employee and appointive officer members may withdraw from service prior to the attainment of the age of sixty (60) years who shall have completed at least twenty-five (25) years of creditable service and shall become entitled to a service retirement allowance provided that such member has attained the age of fifty-five (55) and provided further that his retirement allowance shall be actuarially reduced from age sixty (60) to the earlier retirement age. ~~[It is further provided that a member who has completed twenty (20) or more years of creditable service as a commissioned peace officer engaged in criminal law enforcement activities of the Department of Public Safety, Parks and Wildlife Department, Alcoholic Beverage Commission, or as a custodial officer of the State Board of Corrections of the State of Texas, may withdraw from service prior to the attainment of the age of fifty five (55) years and shall become entitled to a service retirement allowance provided such member has attained the age of fifty (50) and provided further that his retirement allowance shall be actuarially reduced from age fifty five (55) to the earlier retirement age.]~~”

SECTION 11. Amend Subsection (c) of Section 141 of the Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), to read as follows:

“(c) The fee for compulsory inspection made under this Section shall be Five Dollars (\$5.00) ~~Four Dollars (\$4.00)]~~. One Dollar and Seventy-Five Cents (\$1.75) ~~[\$1.00]~~ of each fee shall be paid to the Department and shall be placed in the Motor Vehicle Inspection Fund for the purpose of paying the expense of the administration of this law and the payment of supplemental retirement benefits as provided by law. The Department may require each official inspection station to make an advanced payment of One Dollar and Seventy-Five Cents (\$1.75) ~~[\$1.00)]~~ for each inspection certificate furnished to it, and the money so received shall be placed in the Motor Vehicle Inspection Fund, and no further payment to the Department shall be required upon issuance of the certificate. If such advance payment has been made, the Department shall refund to the inspection station the amount of One Dollar and Seventy-Five Cents (\$1.75) ~~[\$1.00)]~~ for each unissued certificate which the inspection station returns to the Department in accordance with rules and regulations promulgated by the Department.

“If an inspection disclosed the necessity for adjustments, corrections, or repairs, such vehicle shall be reinspected once within seven (7) days free of charge at the same inspection station after the adjustments, corrections, or repairs have been made. Any such vehicle under the terms of this Act, if involved in an accident subsequent to the required inspection, which accident affects the safe operation of any item of inspection, shall return to an inspection station after

adequate repairs are made. The subsequent inspection shall be as if the vehicle had not been inspected before. The inspection fee shall be charged for reinspection."

SECTION 12. EFFECTIVE DATE. This Act takes effect September 1, 1979, except Sections 4 and 10, which take effect September 1, 1980.

SECTION 13. NONSEVERABILITY. If Subsection (b) of Section 5 of this Act is held to be invalid by a court of competent jurisdiction and the decision becomes final, this entire Act becomes void.

SECTION 14. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The Conference Committee Report was read and was filed with the Secretary of the Senate.

#### **SENATE BILL 156 WITH HOUSE AMENDMENT**

Senator Farabee called **S.B. 156** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1 - Barrientos

AMEND SENATE BILL NO. 156 by inserting in Section 4(f), on page 4, line 8, between the words "salary" and "to", the words "not to exceed 90 percent of the total annual salary paid to the judges of the district courts having jurisdiction in Wichita County,".

The amendment was read.

Senator Farabee moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 31, Nays 0.

#### **SENATE BILL 288 WITH HOUSE AMENDMENT**

Senator Mengden called **S.B. 288** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1 - Looney

Amend **S.B. 288** by adding the following language as a new Section 2 and renumbering all sections thereafter:

"Section 2. This act shall not apply to districts which do not as a principal function provide water and sewer services or either of these services to household users."

The amendment was read.

Senator Mengden moved to concur in the House amendment.

The motion prevailed.

**COMMITTEE SUBSTITUTE HOUSE BILL 1060  
ON SECOND READING**

Senator Jones of Taylor asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**C.S.H.B. 1060**, Relating to implementation of The Tax Relief Amendment to the Texas Constitution. (Submitted by Governor as an emergency.)

There was objection.

Senator Jones of Taylor then moved to suspend the regular order of business and take up **C.S.H.B. 1060** for consideration at this time.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Mauzy.

The bill was read second time.

On motion of Senator Jones of Taylor and by unanimous consent, Ron Patterson of the Legislative Council was granted permission to sit at Senator Jones of Taylor's desk during debate of **C.S.H.B. 1060**.

(Senator Brooks in Chair)

Senator Jones of Taylor offered the following amendment to the bill:

Amend C.S.H.B. No. 1060, committee report, as follows:

1. Strike Article 7150.3 on page 7, lines 2-30, and substitute the following:  
Art. 7150.3. EXEMPTION OF AUTOMOBILES

Sec. 1. STATE TAXES. A family or an individual who is not a member of a family is entitled to exemption from state ad valorem taxation of all automobiles that the family or individual owns and does not hold or use for production of income.

Sec. 2. LOCAL TAXES. (a) Except as provided by Subsection (b) of this section, a family or an individual who is not a member of a family is entitled to exemption from ad valorem taxation by a taxing unit of all automobiles that the family or individual owns and does not hold or use for production of income.

(b) The governing body of a taxing unit, by ordinance, resolution, or order, depending on the method prescribed by law for official action by that governing body, may provide for taxation of all automobiles. If the governing body of a taxing unit provides for taxation of all automobiles as provided by this subsection, the exemption prescribed by Subsection (a) of this section does not apply to that unit.

Sec. 3. FAMILY OWNERSHIP. A family owns an automobile for the purposes of this article if any member of the family owns the automobile.

Sec. 4. DEFINITION. In this article, "automobile" means a passenger car or a light truck as those terms are defined by Section 2, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes).

2. On page 7, lines 46 and 47, strike the underscored text and substitute "all passenger cars and light trucks, as those terms are defined by Section 2, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes), that are not held or used for production of income or, whether held or used for production of income or not,".

JONES OF TAYLOR  
PARKER

The amendment was read and was adopted.

#### RECORD OF VOTE

Senator Patman asked to be recorded as voting "Nay" on the adoption of the amendment.

Senator Jones of Taylor offered the following amendment to the bill:

Amend C.S.H.B. No. 1060 by adding Subsection (d) to Section 7 of Article 7150.5, as added by Section 1 of Article 8 of the bill, to read as follows:

(d) If the limitation on tax increases expires because the owner's household income exceeds the limits provided by this article in only one year and the owner again qualifies in the following year, the maximum amount of tax that may be imposed on the residence homestead in the year the owner again qualifies (and in subsequent years, as long as the owner continues to qualify) is the amount of tax imposed on the homestead in the first year the owner qualified for the exemption.

The amendment was read and was adopted.

Senator Parker offered the following amendment to the bill:

Amend CSHB 1060, Article 7, Section I, subsection 2, by striking it in its entirety and substituting the following:

#### Sec. 2 ADDITIONAL HOMESTEAD EXEMPTION FOR ELDERLY AND DISABLED

(a) If an individual who qualifies for exemption under Section 1 of this article is disabled or is 65 years of age or older, he or she is entitled to exemption from ad valorem taxation by a school district of an additional \$10,000 of the market value of the residence homestead.

(b) An eligible disabled person who is 65 years of age or older may not receive both the disabled and the elderly exemptions but may choose either.

The amendment was read.

(President in Chair)

Senator Jones of Taylor moved to table the amendment.

The motion to table was lost by the following vote: Yeas 10, Nays 21.

Yeas: Andujar, Creighton, Farabee, Harris, Jones of Taylor, McKnight, Moore, Ogg, Price, Snelson.

Nays: Blake, Braecklein, Brooks, Clower, Doggett, Howard, Jones of Harris, Kothmann, Longoria, Mauzy, Meier, Mengden, Parker, Patman, Santiesteban, Schwartz, Short, Traeger, Truan, Vale, Williams.

Question - Shall the amendment be adopted?

Senator Jones of Taylor offered the following substitute for the pending amendment:

Amend **C.S.H.B. 1060** as follows:

In Article 7, Section 2(b) strike the figure \$10,000 and substitute in lieu thereof "\$15,000."

The substitute for the pending amendment was read.

On motion of Senator Parker, the substitute for the pending amendment was tabled by the following vote: Yeas 23, Nays 8.

Yeas: Blake, Braecklein, Brooks, Clower, Doggett, Howard, Jones of Harris, Kothmann, Longoria, Mauzy, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Short, Traeger, Truan, Vale, Williams.

Nays: Andujar, Creighton, Farabee, Harris, Jones of Taylor, McKnight, Price, Snelson.

Senator Jones of Taylor offered the following substitute for the pending amendment:

Amend **C.S.H.B. 1060** as follows:

In Article 7, Section 2(b) strike the figure \$10,000 and substitute in lieu thereof "\$20,000."

The substitute for the pending amendment was read.

On motion of Senator Parker, the substitute for the pending amendment was tabled by the following vote: Yeas 22, Nays 9.

Yeas: Blake, Braecklein, Brooks, Clower, Doggett, Jones of Harris, Kothmann, Longoria, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Traeger, Truan, Vale, Williams.

Nays: Andujar, Creighton, Farabee, Harris, Howard, Jones of Taylor, McKnight, Moore, Snelson.

Question recurring on the adoption of the pending amendment by Senator Parker, the amendment was adopted by the following vote: Yeas 24, Nays 7.

Yeas: Blake, Braecklein, Brooks, Clower, Doggett, Howard, Jones of Harris, Kothmann, Longoria, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Andujar, Creighton, Farabee, Harris, Jones of Taylor, McKnight, Moore.

Senator Doggett offered the following amendment to the bill:

Amend C.S.H.B. No. 1060 by striking Section 3 of Article 7174A, as added by Article 1, Section 1, of the bill, and substituting the following:

Sec. 3. CAPITALIZATION RATE. The capitalization rate to be used in determining the value of qualified open-space land is the interest rate specified by the Federal Land Bank of Houston on December 31 of the preceding year.

The amendment was read.

On motion of Senator Jones of Taylor, the amendment was tabled by the following vote: Yeas 25, Nays 6.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Farabee, Harris, Howard, Jones of Taylor, Kothmann, Longoria, McKnight, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Williams.

Nays: Doggett, Jones of Harris, Mauzy, Meier, Truan, Vale.

Senator Doggett offered the following amendment to the bill:

Amend C.S.H.B. No. 1060 by amending Section 6 of Article 7174A, as added by Article 1, Section 1, of the bill, as follows:

1. Strike "or" at the end of Subdivision (2), strike the period at the end of Subdivision (3) and substitute "; or", and add Subdivision (4) to read as follows:

(4) land owned or managed by a corporation, partnership, limited partnership, estate, trust, or other legal entity other than an estate or trust that benefits individuals exclusively or an eligible corporation, partnership, or limited partnership.

2. Designate the existing text of Section 6 as Subsection (a) and add Subsection (b) to Section 6 to read as follows:

(b) For the purposes of this section, an "eligible corporation, partnership, or limited partnership" means a domestic corporation, partnership, or limited partnership in which:

- (1) the number of shareholders or members does not exceed 15; and
- (2) each shareholder or member is an individual or an estate or trust that benefits individuals exclusively.

The amendment was read.

On motion of Senator Jones of Taylor, the amendment was tabled by the following vote: Yeas 22, Nays 9.



Yeas: Andujar, Blake, Brooks, Creighton, Harris, Howard, Jones of Taylor, Kothmann, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Braecklein, Clower, Doggett, Farabee, Jones of Harris, Longoria, Mauzy, Patman, Truan.

On motion of Senator Jones of Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### **RECORD OF VOTE**

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the bill to third reading.

#### **COMMITTEE SUBSTITUTE HOUSE BILL 1060 ON THIRD READING**

Senator Jones of Taylor moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.H.B. 1060** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Mauzy.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

#### **MOTION TO PLACE SENATE BILL 159 ON SECOND READING**

Senator Moore moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 159** Relating to costs incurred in the defense of certain claims for pecuniary damages in civil actions and the awarding of such costs by the court.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members of the Senate present): Yeas 18, Nays 12.

Yeas: Andujar, Blake, Braecklein, Brooks, Creighton, Farabee, Harris, Howard, Jones of Taylor, McKnight, Meier, Mengden, Moore, Ogg, Price, Snelson, Vale, Williams.

Nays: Clower, Doggett, Jones of Harris, Kothmann, Longoria, Mauzy, Parker, Patman, Santiesteban, Schwartz, Short, Truan.

Absent: Traeger.

**COMMITTEE SUBSTITUTE SENATE BILL 1079  
ON THIRD READING**

Senator Clower asked unanimous consent to suspend the regular order of business to take up on its third reading and final passage:

**C.S.S.B. 1079.** Relating to the creation of a regional transportation authority in metropolitan areas; providing for elections; providing for subregional boards and an executive committee; authorizing the issuance of bonds; authorizing the levy and collection of a sales and use tax; providing for security personnel commissioned as peace officers; authorizing the adoption of rules and regulations; and declaring an emergency.

There was objection.

Senator Clower then moved to suspend the regular order of business and take up **C.S.S.B. 1079** for consideration at this time.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Andujar, Blake, Brooks, Clower, Doggett, Farabee, Harris, Howard, Jones of Harris, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Price, Santiesteban, Schwartz, Short, Snelson, Tracger, Truan, Vale, Williams.

Nays: Braecklein, Mauzy.

Absent: Creighton, Jones of Taylor.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 2. (Same as previous roll call)

**RECESS**

On motion of Senator Moore the Senate at 12:30 o'clock p.m. took recess until 2:30 o'clock p.m. today.

**AFTER RECESS**

The Senate met at 2:30 o'clock p.m. and was called to order by the President.

**HOUSE BILL 616 ON SECOND READING**

Senator Farabee moved to suspend the regular order of business to take up for consideration at this time:

**H.B. 616.** Amending Subsection (1) of Article 1.06, Title 79, Revised Civil Statutes of Texas 1925 (Article 5069-1.06, Vernon's Texas Civil Statutes) providing for forfeiture of certain interest charges and declaring an emergency.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Andujar, Blake, Braecklein, Brooks, Creighton, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Price, Santiesteban, Schwartz, Short, Snelson, Vale, Williams.

Nays: Clower, Doggett, Mauzy, Patman, Truan.

Absent: Parker, Traeger.

The bill was read second time.

Senator Farabee offered the following committee amendment to the bill:

Amend **H.B. 616** by adding a comma after the word "received" in line 13 thereof and the following: "such usurious interest being the amount the total interest contracted for, charged, or received exceeds the amount of interest allowed by law,"

The committee amendment was read and was adopted by the following vote: Yeas 30, Nays 1.

Yeas: Andujar, Blake, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Truan, Vale, Williams.

Nays: Patman.

Senator Farabee offered the following committee amendment to the bill:

Amend HB 616 by adding on line 15 after the words "Two Thousand Dollars" the following:

"or twenty percent (20%) of the principal, whichever is the smaller sum."

The amendment was read and was adopted by the following vote: Yeas 24, Nays 5.

Yeas: Andujar, Blake, Braecklein, Brooks, Creighton, Farabee, Harris, Howard, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Ogg, Parker, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Clower, Doggett, Mauzy, Patman, Truan.

Absent: Jones of Harris, Jones of Taylor.

Question - Shall the bill as amended be passed to third reading?

#### **INTERGOVERNMENTAL RELATIONS COMMITTEE GRANTED PERMISSION TO MEET**

On motion of Senator Snelson and by unanimous consent, the Committee on Intergovernmental Relations was granted permission to meet while the Senate was in session.

#### **HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading.

Question - Shall the bill as amended be passed to third reading?

Senator Patman offered the following amendment to the bill:

Amend **H.B. 616** by striking Section 2 and Section 3, and substituting the following sections in their place:

"Section 2. This Act shall be applicable to all claims of forfeiture arising from transactions entered into after June 30, 1979.

Section 3. This Act shall take effect and be in force on July 1, 1979. Subsection (1) of Article 1.06, Title 79, Revised Civil Statutes of Texas, shall remain in force as originally enacted until the effective date of this Act."

The amendment was read.

Question - Shall the amendment be adopted?

#### **REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH TO MEET**

Senator Jones of Harris requested the Subcommittee on Public Health be granted permission to meet while the Senate was in session in order to hear testimony on **S.B. 118** and **S.B. 842**. (Both bills having been posted for hearing today at 3:00 o'clock p.m.)

After discussion of several parliamentary inquiries, Senator Jones of Harris withdrew the request for the Subcommittee on Public Health to meet while the Senate was in session.

(Senator Meier in Chair)

#### **SENATE RULE 103 SUSPENDED**

On motion of Senator Braecklein and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Intergovernmental Relations might consider **H.B. 1787** today.

#### **HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading with an amendment by Senator Patman pending.

Question - Shall the pending amendment be adopted?

#### **REQUEST FOR PERMISSION FOR ADMINISTRATION COMMITTEE TO MEET**

Senator Jones of Harris asked unanimous consent for the Committee on Administration to meet while the Senate was in session to consider those bills scheduled for the Local and Uncontested Bills Calendar.

There was objection and the request was denied.

**ADMINISTRATION COMMITTEE  
GRANTED PERMISSION TO MEET**

On motion of Senator Jones of Harris and by unanimous consent, the Committee on Administration was granted permission to meet while Senate was in session.

**HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading with an amendment by Senator Patman pending.

Question - Shall the pending amendment be adopted?

(President in Chair)

**MOTION TO RECOMMIT HOUSE BILL 616**

Senator Clower moved that **H.B. 616** be recommitted to the Committee on Human Resources.

The motion was lost by the following vote: Yeas 6, Nays 24.

Yeas: Clower, Doggett, Mauzy, Parker, Patman, Truan.

Nays: Andujar, Blake, Braecklein, Brooks, Creighton, Farabee, Harris, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, McKnight, Meier, Mengden, Moore, Price, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Absent: Ogg.

**HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading with an amendment by Senator Patman pending.

Question - Shall the pending amendment be adopted?

(Senator Ogg in Chair)

Pending discussion of the amendment, Senator Short occupied the Chair.

Senator Clower offered the following amendment to the pending amendment:

Amend Amendment No. 3 to **H.B. 616** by changing the words "June 30, 1979" to "May 30, 1979."

The amendment to the pending amendment was read.

On motion of Senator Clower and by unanimous consent, the amendment to the pending amendment was withdrawn.

Question - Shall the pending amendment be adopted?

**REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON  
CONSUMER AFFAIRS TO MEET**

Senator Clower requested that the Subcommittee on Consumer Affairs be granted permission to meet while the Senate was in session.

There was objection and the request was denied.

(President in Chair)

**RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate the following enrolled resolutions:

**H.C.R. 163**

**H.C.R. 181**

**MESSAGE FROM THE HOUSE**

House Chamber  
May 8, 1979

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I AM DIRECTED BY THE HOUSE TO INFORM THE SENATE THAT  
THE HOUSE HAS PASSED THE FOLLOWING:

HCR 191, Commending the efforts of the National Conference on Soviet Jewry and the National Women's Plea for Soviet Jewry.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 164.

House Conferees: Green, Gene, Chairman; Head, Edwards, McFarland, Caraway.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 491.

House Conferees: Clark of Jasper, Chairman; Collazo, Crawford, Agnich, Sullivan.

The House refused to concur in Senate amendments to House Bill No. 1060 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House Conferees: Davis, Chairman; Peveto, Atkinson, Schlueter, G. Hill.

The House refused to concur in Senate amendments to House Bill No. 558 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House Conferees: Presnal, Chairman; Agnich, Heatly, Valles, Rains.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading with an amendment by Senator Patman pending.

Question - Shall the pending amendment be adopted?

On motion of Senator Farabee, the pending amendment by Senator Patman was tabled by the following vote: Yeas 19, Nays 4.

Yeas: Andujar, Blake, Brooks, Farabee, Howard, Jones of Harris, Jones of Taylor, Kothmann, Longoria, Meier, Mengden, Parker, Santiesteban, Schwartz, Short, Snelson, Traeger, Vale, Williams.

Nays: Clower, Doggett, Mauzy, Patman.

Absent: Bracklein, Creighton, Harris, McKnight, Moore, Ogg, Price, Truan.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

Question - Shall the bill as amended be passed to third reading?

**CONFERENCE COMMITTEE ON HOUSE BILL 558**

Senator Jones of Taylor called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on **H.B. 558** and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **H.B. 558** before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Jones of Taylor, Chairman; Creighton, Moore, Farabee and Schwartz.

**CONFERENCE COMMITTEE ON HOUSE BILL 1060**

Senator Jones of Taylor called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on **H.B. 1060** and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **H.B. 1060** before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Jones of Taylor, Chairman; McKnight, Meier, Parker and Snelson.

#### **REPORT OF STANDING COMMITTEE**

By unanimous consent, Senator Jones of Harris submitted the following report for the Committee on Administration:

**S.C.R. 86**  
**H.C.R. 32**  
**H.C.R. 75**

#### **SENATE BILL AND RESOLUTION ON FIRST READING**

On motion of Senator Brooks and by unanimous consent, the following bill and resolution were introduced, read first time and referred to the Committee indicated:

**S.B. 1298** by Brooks Human Resources  
Relating to receivership as a remedy for violations of rules regulating nursing and convalescent homes.

**S.R. 536** by Schwartz Human Resources  
Requesting Department of Health conduct study on causes of fatal and serious burns in children and effectiveness and deficiencies in current laws on subject.

#### **HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

**H.J.R. 98**, To Committee on Finance.  
**H.J.R. 121**, To Committee on State Affairs.  
**H.J.R. 133**, To Committee on State Affairs.  
**H.B. 384**, To Committee on Intergovernmental Relations.  
**H.B. 590**, To Committee on Jurisprudence.  
**H.B. 628**, To Committee on State Affairs.  
**H.B. 635**, To Committee on Human Resources.  
**H.B. 979**, To Committee on Intergovernmental Relations.  
**H.B. 1176**, To Committee on State Affairs.  
**H.B. 1358**, To Committee on State Affairs.  
**H.B. 1663**, To Committee on Finance.  
**H.B. 2038**, To Committee on Natural Resources.

#### **HOUSE BILL 616 ON SECOND READING**

The Senate resumed consideration of **H.B. 616** on its second reading and passage to third reading.

Question - Shall the bill as amended be passed to third reading?

The bill as amended was passed to third reading by the following vote: Yeas 20, Nays 4.